

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

No. 4:03-cr-00050-D-1  
No. 4:20-cv-00116-D

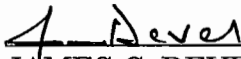
JAMES L. MURPHY,	)	
	)	
Petitioner,	)	
	)	ORDER
v.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

This matter is before the Court on the parties' joint motion to set a briefing schedule on Petitioner's motion pursuant to 28 U.S.C. § 2255 seeking vacatur of his conviction under 18 U.S.C. § 922(g) based on *United States v. Rehaif*, 139 S. Ct. 2191 (2019). For the reasons set forth in the parties' joint motion, the motion is GRANTED. It is further ORDERED that:

- (a) Counsel for Petitioner shall make every effort to file any withdrawal of Petitioner's *Rehaif*-based Section 2255 no later than September 13, 2021;
- (b) Respondent's motion to dismiss and supporting memorandum shall be due by October 13 unless Petitioner's motion is withdrawn before then;
- (c) Petitioner's response, if any, shall be due within twenty-one (21) days of the filing of Respondent's motion to dismiss;

(d) Respondent's reply, if any, shall be due within fourteen (14) days after Petitioner's response.

SO ORDERED, this the 12 day of August, 2021.

  
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JAMES C. DEVER III  
United States District Judge